

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:	:	Chapter 11
	:	Case No. 08-13555 (SCC)
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	
	:	
Debtors.	:	
-----	X	
In re:	:	SIPA
	:	Case No. 08-01420 (SCC)
LEHMAN BROTHERS INC.,	:	
	:	
Debtor.	:	
-----	X	
LEHMAN BROTHERS HOLDINGS INC. and	:	Adversary Proceeding
OFFICIAL COMMITTEE OF UNSECURED	:	Case No. 10-03266 (SCC)
CREDITORS OF LEHMAN BROTHERS HOLDINGS	:	
INC., <i>et al.</i> ,	:	
	:	
Plaintiff and	:	
Plaintiff Intervenor,	:	
	:	
-against-	:	
	:	
JPMORGAN CHASE BANK, N.A.,	:	
	:	
Defendant.	:	
-----	X	

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LEHMAN BROTHERS HOLDINGS INC., LEHMAN	:	Adversary Proceeding
BROTHERS SPECIAL FINANCING INC., LEHMAN	:	Case No. 12-01874 (SCC)
BROTHERS COMMODITY SERVICES INC., LEHMAN	:	
OFFICIAL COMMITTEE OF UNSECURED	:	
CREDITORS OF LEHMAN BROTHERS HOLDINGS	:	
INC., <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
JPMORGAN CHASE BANK, N.A., J.P. MORGAN	:	
MARKETS LIMITED (F/K/A BEAR STEARNS	:	
INTERNATIONAL LIMITED), J.P. MORGAN	:	
SECURITIES LTD., J.P. MORGAN VENTURES	:	
ENERGY CORPORATION, JP MORGAN CHASE	:	
AND CO., JPMORGAN BANK DUBLIN (F/K/A	:	
BEAR STEARNS BANK PLC), BEAR STEARNS	:	
CREDIT PRODUCTS INC. and BEAR STEARNS	:	
FOREX INC.,	:	
	:	
Defendants.	:	
-----	X	

STIPULATION AND ORDER AMENDING PROTECTIVE ORDERS

This Stipulation is entered into by and between the undersigned counsel, acting for and on behalf of their respective clients: (a) Lehman Brothers Holdings Inc. (“LBHI”) and (b) JPMorgan Chase Bank, N.A. (“JPMorgan” and, together with LBHI, the “Parties” and each a “Party”).

WHEREAS, on September 15, 2008, LBHI commenced a voluntary case under chapter 11 of title 11 of the United States Code, as amended, in the United States Bankruptcy Court for the Southern District of New York (the “Court” and the proceeding the “LBHI Bankruptcy Case”);

WHEREAS, on September 19, 2008, the Honorable Gerard E. Lynch, Judge of the United States District Court for the Southern District of New York, entered the Order

Commencing Liquidation pursuant to the provisions of the Securities Investor Protection Corporation Act with respect to Lehman Brothers Inc. (“LBI” and the resulting proceeding the “LBI SIPA Proceeding”);

WHEREAS, on May 26, 2010, LBHI and the Official Committee of Unsecured Creditors of LBHI (the “Committee”) initiated an adversary proceeding against JPMorgan, No. 10-03266 (the “2010 Adversary Proceeding”);

WHEREAS, on September 14, 2012, Lehman and the Committee filed an adversary proceeding against JPMorgan, No. 12-01874 (the “2012 Adversary Proceeding”);

WHEREAS, on September 1, 2010, the Court entered a Confidentiality Stipulation and Protective Order in the 2010 Adversary Proceeding [Case No. 10-03266, Dkt. # 16] (the “2010 Adversary Proceeding Protective Order”);

WHEREAS, on February 15, 2012, the Court entered a Stipulation and Order Regarding Discovery Related to Objection to Portions of Proofs of Claim No. 66462 Against Lehman Brothers Holdings Inc. and No. 4939 Against Lehman Brothers Inc. of JPMorgan Chase Bank, N.A. Regarding Triparty Repo-Related Losses [Case No. 08-01420, Dkt. # 4907; Case No. 08-13555, Dkt. # 25353] (the “Deficiency Protective Order”);

WHEREAS, the Deficiency Protective Order makes the 2010 Adversary Proceeding Protective Order applicable to certain discovery produced by the Parties in the context of the claim objection known as the “Deficiency Objection” or the “Tassimo Action”;

WHEREAS, on November 7, 2013, the Court entered a Confidentiality Stipulation and Protective Order in the 2012 Adversary Proceeding [Case No. 12-01874, Dkt. # 17] (the “2012 Adversary Proceeding Protective Order”);

WHEREAS, Paragraph 17 of the 2010 Adversary Proceeding Protective Order and Paragraph 15 of the 2012 Adversary Proceeding Protective Order provide that within sixty (60) days after receiving notice of the entry of an order, judgment, or decree finally disposing of or resolving the subject litigations among the Parties arising out of or relating to the LBHI Bankruptcy Case, all persons having received Confidential or Highly Confidential Discovery Material shall either return such material and all copies thereof (including summaries and excerpts) to the Producing Parties or destroy all such Confidential or Highly Confidential Discovery Material and certify that fact to the Producing Party¹;

WHEREAS, the Parties have agreed to extend by thirty (30) days the time by which a receiving party must comply with the requirements set forth by Paragraph 17 of the 2010 Adversary Proceeding Protective Order and Paragraph 15 the 2012 Adversary Proceeding Protective Order; and

WHEREAS, the Parties have entered into this Stipulation and agree to be bound by its terms;

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND UPON COURT APPROVAL HEREOF, IT IS ORDERED THAT:

The obligation to destroy or return all Discovery Material designated Confidential and Highly Confidential within sixty (60) days as set forth in Paragraph 17 of the 2010 Adversary Proceeding Protective Order and Paragraph 15 of the 2012 Adversary Proceeding Protective Order is hereby extended for an additional thirty (30) days;

The above-referenced extension shall also apply to the Deficiency Protective Order.

¹ Defined terms used by not defined herein shall have the meanings ascribed to them by the 2010 Adversary Proceeding Protective Order.

DATED: April 28, 2017

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By s/ Tyler G. Whitmer

Tyler G. Whitmer

Counsel for Lehman Brothers Holdings Inc.

DATED: April 28, 2017

WACHTELL, LIPTON, ROSEN & KATZ

By s/ Ian Boczko

Ian Boczko

Counsel for JPMorgan Chase Bank, N.A.

IT IS SO ORDERED:

Dated: May 1, 2017

/S/ Shelley C. Chapman

HON. SHELLEY C. CHAPMAN

UNITED STATES BANKRUPTCY JUDGE